

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sannicolo et al.	Art Unit:	1621
Serial No.:	10/506,305	Examiner:	Porfirio Nazario Gonzalez
Filed:	September 1, 2004	Customer No.:	21559
Confirmation No.:	8330		
Title:	Metallic Catalysts for Chemo-, Regio- and Stereoselective Reactions, and Corresponding Precursors		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESUBMISSION OF PETITION TO CORRECT FILING RECEIPT

Applicant requests that the enclosed filing receipt be corrected as follows.

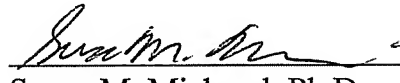
Under subheading Applicant(s) please add inventor Simona Rizzo, whose residence is San Giuliano Milanese, ITALY. Also, under Applicant(s) subheading, please replace inventor listed as "Simons Tollis" with "Simona Tollis".

Enclosed are copies of the incorrect filing receipt and a copy of the declaration filed with the application, which was signed by all of the inventors, including inventors Rizzo and Tollis. The request to list inventor Simona Rizzo is not a request to correct inventorship, as she was named on the application as filed (see the enclosed declaration, transmittal, and first page of corresponding PCT publication). The change to the name of inventor Tollis is a correction of an error in spelling only. Her name is correctly spelled in the papers noted above.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: August 30, 2007

  
Susan M. Michaud, Ph.D.  
Reg. No. 42,885

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
12 September 2003 (12.09.2003)

PCT

(10) International Publication Number  
**WO 2003/074169 A3**

(51) International Patent Classification<sup>7</sup>: **B01J 31/24**,  
C07F 9/6568, C07D 333/26, 333/62, 209/04, 207/46,  
C07F 3/00

(74) Agent: **GERVASI, Gemma**; Notarbartolo & Gervasi  
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(21) International Application Number:  
PCT/EP2003/002160

(22) International Filing Date: 3 March 2003 (03.03.2003)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
MI2002A000415 1 March 2002 (01.03.2002) IT

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU,  
AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU,  
CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH,  
GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC,  
LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW,  
MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE,  
SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ,  
VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (*regional*): ARIPO patent (GH, GM,  
KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW),  
Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),  
European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE,  
ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO,  
SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM,  
GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant (*for all designated States except US*): **CHEMI  
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(75) Inventors/Applicants (*for US only*): **SANNICOLO,**  
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[IT/IT]; Via C. Morandi, 35, I-56124 Pisa (IT). **TOLLIS,**  
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**ULLUCCI, Elio** [IT/IT]; Via Fiuggi, 47, I-04100 Latina  
(IT). **DE FERRA, Lorenzo** [IT/IT]; Viale delle Province,  
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Gogol, 6, I-San Giuliano Milanese (IT).

Declaration under Rule 4.17:

— of inventorship (Rule 4.17(iv)) for US only

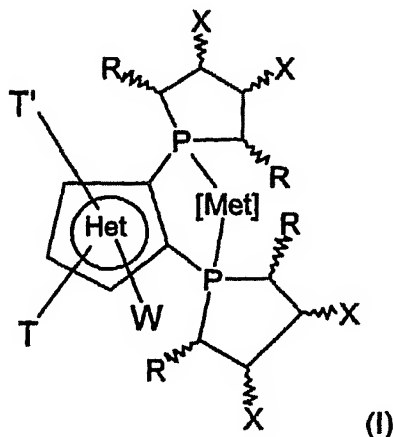
Published:

— with international search report

(88) Date of publication of the international search report:  
25 March 2004

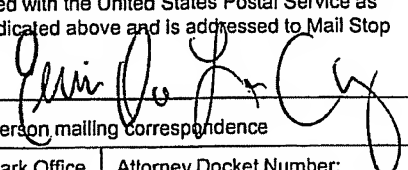
*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

(54) Title: METALORGANIC CATALYSTS FOR CHEMO-, REGIO- AND STEREOSELECTIVE REACTIONS, AND CORRESPONDING PRECURSORS



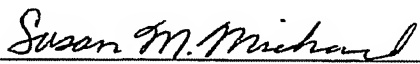
(57) Abstract: Metallic catalysts of the general formula (I) and their precursors, suitable for chemo- regio- and stereoselective reactions, derived from ortho- bis(1-phospholanyl)-heteroarenes. The new catalysts are characterized by the presence of two homomorphic phospholanic rings set in adjacent positions of an aromatic pentatomic heterocycle.

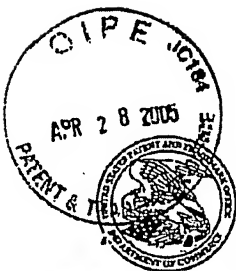
DT07 Rec'd PCT/PTO 0 1 SEP 2004

Certificate of Mailing		
Date of Deposit: <u>September 1, 2004</u>		Label Number: <u>EV 544139262 US</u> <b>10/506305</b>
I hereby certify under 37 C.F.R. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
<u>Elvis De La Cruz</u>		
Printed name of person mailing correspondence		Signature of person mailing correspondence
Substitute Form PTO 1390 U.S. Department of Commerce Patent and Trademark Office		Attorney Docket Number: 50294/013001
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		U.S. Application Number:
INTERNATIONAL APPLICATION NUMBER	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP03/02160	March 3, 2003	March 1, 2002
TITLE OF INVENTION:	METALLIC CATALYSTS FOR CHEMO-, REGIO- AND STEREOSELECTIVE REACTIONS, AND CORRESPONDING PRECURSORS	
APPLICANTS FOR DO/EO/US:	Francesco Sannicolo', Oreste Piccolo, Tiziana Benincori, Mara Sada, Alessandra Verrazzani, Simona Tollis, Elio Ullucci, Lorenzo De Ferra, Simona Rizzo	
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.	
2.	<input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.	
3.	<input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).	
4.	<input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19 <sup>th</sup> month from the earliest claimed priority date.	
5.	A copy of the International Application (35 U.S.C. § 371(c)(2)). <input checked="" type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> b. has been transmitted by the International Bureau. <input type="checkbox"/> c. is not required, as the application was filed with the United States Receiving Office (RO/US).	
6.	<input type="checkbox"/> A translation of the International Application into English (35 U.S.C. § 371(c)(2)).	
7.	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)). <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> b. have been transmitted by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> d. have not been made and will not be made.	
8.	<input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).	
9.	<input checked="" type="checkbox"/> An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)).	
10.	<input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).	
11.	<input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.	
12.	<input checked="" type="checkbox"/> An assignment for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.	
14.	<input type="checkbox"/> A substitute specification.	
15.	<input type="checkbox"/> A change of power of attorney and/or address letter.	
16.	<input type="checkbox"/> Request for Deferred Examination.	
17.	<input type="checkbox"/> Application Data Sheet.	
18.	<input type="checkbox"/> Other items or information:	

10/506305

DT09 Rec'd PCT/PTO 01 SEP 2004

19.	<input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. § 1.492(A)(1)-(5)):</b> Neither international preliminary examination fee (37 C.F.R. § 1.482) nor international search fee (37 C.F.R. § 1.455(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but international search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 C.F.R. § 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1) - (4) \$730.00 International preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$920.00	
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 OR <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	35 - 20 = 15	15	x \$18
Independent claims	2 - 3 = -1	0	x \$86
Multiple dependent claims (if applicable)		+ \$290	\$290.00
TOTAL OF ABOVE CALCULATIONS =		\$1480.00	
Reduction of 1/2 for filing by small entity, if applicable. [**Applicant claims small entity status under 37 C.F.R. § 1.27**]			
SUBTOTAL =		\$1480.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 OR <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).		+	
TOTAL NATIONAL FEE =		\$1480.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.		+	\$ 40.00
TOTAL FEES ENCLOSED =		\$1520.00	
		Amount to be refunded	
		charged	
<input checked="" type="checkbox"/> a. A check in the amount of \$1520.00 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 03-2095 in the amount of \$ [**] to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 03-2095.			
NOTE: Where an appropriate time limit under 37 C.F.R. §§ 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Susan M. Michaud, Ph.D. Clark & Elbing LLP 101 Federal Street Boston, MA 02110-2214  Telephone: 617-428-0200 Facsimile: 617-428-7045 Customer No.: 21559		 Signature Susan M. Michaud, Ph.D. Reg. No. 42,885	



## UNITED STATES PATENT AND TRADEMARK OFFICE

PTC/SMM:  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/506,305	09/01/2004	1754	1480	50294/013001		28	2

CONFIRMATION NO. 8330

21559  
CLARK & ELBING LLP  
101 FEDERAL STREET  
BOSTON, MA 02110

## FILING RECEIPT



\*OC000000015011712\*

Date Mailed: 01/26/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Francesco Sanniccolo, Milan, ITALY;  
Oreste Piccolo, Sirtori, ITALY;  
Tiziana Benincori, Milano, ITALY;  
Mara Sada, Rho, ITALY;  
Alessandra Verrazzani, Pisa, ITALY;  
a - Simone Tollis, Soras, ITALY;  
Elio Ullucci, Latina, ITALY;  
Lorenzo De Ferra, Roma, ITALY;

Simona Rizzo, San Giuliano Milanese, ITALY

## Power of Attorney:

Susan Michaud-42885

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/02160 03/03/2003

## Foreign Applications

ITALY MI2002A000415 03/01/2002

Projected Publication Date: 05/05/2005

Non-Publication Request: No

JAN 31 2005

Early Publication Request: No

Title

Metallic catalysts for chemo-, regio-and stereoselective reactions, and corresponding precursors

Preliminary Class

502

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

10/506305

Sheet No. ....

Rec'd PCT/PTO 01 SEP 2004

Box No. VIII (iv) **DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
 The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/EP 03/02160..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name:

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: Italy - Appln. No. MI2002A00045 of 1 March 2002

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Francesco SANNICOLA

Residence: VIA PACINI 39 - 20131 - MILAN - ITALY

(city and either US state, if applicable, or country)

Mailing Address: Dipartimento di Chimica Organica e Industriale  
Università degli Studi di Milano - Via Venezian 2120133 - Milano

Citizenship: ITALIAN

Inventor's Signature: [Signature]  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 23 - MAY - 03  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: Oreste PICCOLO

Residence: Sirtori - Italy

(city and either US state, if applicable, or country)

Mailing Address: Via Borno 5 - 23896 Sirtori (LC)

Citizenship: [Signature]

Inventor's Signature: [Signature]  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 23/5/2003  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".



Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

CONTINUATION OF BOX NO. VIII (iv) DECLARATION: INVENTORSHIP

Name: Tiziana BENINCORI

Residence: MILANO - ITALY

(city and either US state, if applicable, or country)

Mailing Address: VIA PAUNI, 39 - 20131 MILANO - ITALY

Citizenship: ITALIANA

Inventor's Signature: Benua Dore

Date: 16.5.03

Name: Mara SADA

Residence: RHO 20017 (MI) - ITALY  
(city and either US state, if applicable, or country)

Mailing Address: VIA A. DIAZ 0° 29 - RHO 20017 - ITALY

Citizenship: ITALIANA

Inventor's Signature: Mara Sada

Date: 16. May 2003

Name: Alessandra VERRAZZANI

Residence: Pisa - Italy  
(city and either US state, if applicable, or country)

Mailing Address: Via C. Morandi, 35 - 56124 Pisa - Italy

Citizenship: Italian

Inventor's Signature: Alessandra Verrazzani

Date: 16. May 03

Continuation of Box No. VIII (i) to (v) **DECLARATION**

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

**CONTINUATION OF BOX NO. VIII (iv) DECLARATION: INVENTORSHIP**

Name: Simona TOLLIS

Residence: SORA - Italy

(city and either US state, if applicable, or country)

Mailing Address: Via E. Zincone, 35 - 03039-SORA - ITALY

Citizenship: Italian

Inventor's Signature: Simona TOLLIS

Date: 23 May 2003

Name: Elio ULLUCCI

Residence: LATINA - Italy

(city and either US state, if applicable, or country)

Mailing Address: Via Fiuggi, 47 - 04100 LATINA - Italy

Citizenship: Italian

Inventor's Signature: Elio ULLUCCI

Date: 23 may 2003

Name: Lorenzo DE FERRA

Residence: ROMA - Italy

(city and either US state, if applicable, or country)

Mailing Address: Viale delle Province, 6 - 00162-ROMA - ITALY

Citizenship: Italian

Inventor's Signature: Lorenzo DE FERRA

Date: 23 may 2003

**Continuation of Box No. VIII (i) to (v) DECLARATION**

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

**CONTINUATION OF BOX NO. VIII (iv) DECLARATION: INVENTORSHIP**

Name: Simona RIZZO

Residence: San Giuliano Milanese - Italy

(city and either US state, if applicable, or country)

Mailing Address: Via Gogol, 6 - 20098 San Giuliano Milanese - Italy

Citizenship: Italian

Inventor's Signature: *Simona Rizzo*

Date: *23 May 2005*

Name:

Residence:

(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:

Date:

Name:

Residence:

(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:

Date: